

# **EXHIBIT 5**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

NEW VIRGINIA MAJORITY EDUCATION  
FUND, et al.,

Plaintiffs,

v.

GARY SCOTT, in his official capacity as  
Fairfax County Registrar, et al.,

Defendants.

Civil Action No.

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**DECLARATION OF MICAH REAVES**

Pursuant to 28 U.S.C. § 1746, I, Micah Reaves, hereby declare as follows:

1. I have personal knowledge of the matters stated herein and would testify to the same if called as a witness in Court.
2. I am over eighteen years of age and am otherwise competent to testify. I was born in 1999 and am African American.
3. I am a junior at George Mason University. I am from Houston, Texas. I have never registered to vote in Texas.
4. I live on campus at George Mason University.
5. The name of my dormitory is Northern Neck Hall. I live in Room 227.
6. During my freshman year, I lived in Madison dormitory.
7. My responsibilities while attending George Mason University, in addition to maintaining a full course load, include campus ministry (DOC) and being a practice player assisting George Mason's Women's Basketball team, and being Men's club basketball president.

8. I registered to vote on campus at George Mason University on October 9, 2019 through a voter registration drive that was being held across the hall from the student union.
9. I believed that I needed to register if I wanted to vote in the November 2019 and 2020 elections.
10. I was approached by a volunteer who asked if I wanted to register to vote, and I filled out a voter registration application. *See Exhibit A.*
11. When I filled out the voter registration application, I provided the address of George Mason's student union, 4450 Rivanna Way. I also provided my school mailbox number.
12. My school mailbox number is 6694. The school mailbox is located at the student union.
13. I do not receive mail at my dorm address.
14. At the time I filled out the voter registration application, I believed that providing the university address and my school mailbox number would be sufficient to allow me to register to vote.
15. I do not check my school mailbox regularly.
16. I usually receive an email alert from George Mason University when I have received something in the mail. It has been awhile since I received such an email alert, although I do not recall exactly when I last received one.
17. I had assumed that I was registered to vote by the voter registration deadline for the November 5, 2019 election and was eligible to vote in that election until I received an email from George Mason University Housing on Thursday, October 24, 2019.
18. The October 24 email that I received from George Mason University Housing indicated that I may not be registered vote but that I should "disregard if this information does not apply to" me. *See Exhibit B.*

19. The email says that I can submit a new voter registration application or write my full name, residential address, year of birth, last four digits of your social security number and signature on a sheet of paper and providing it to the Fairfax County Office of Elections or scanning the submission and forwarding, as an attachment, to: [voting@fairfaxcounty.gov](mailto:voting@fairfaxcounty.gov). It says that I can fax that information in or deliver it in person to the Fairfax County Board of Elections office during certain hours and by noon, Saturday, November 2, 2019.
20. Friday, October 25, I received a phone call from a person with New Virginia Majority. They informed me that my voter registration application had been rejected because I did not put down my dorm name and room number when I filled out my voter registration application.
21. I did not know for sure that my application had been rejected until I received the phone call from the person with New Virginia Majority on October 25.
22. At the time I had received the phone call on October 25, I had not checked my school mailbox recently. I also had not looked up my registration status online.
23. I do not understand why I needed to provide my dorm name and room number on my registration application since I provided my school mailbox number.
24. I have since received and reviewed the official notice from the Fairfax County Registrar indicating that my voter registration application was rejected. *See Exhibit C.*
25. The notice says that I can fill out a new voter registration application or file an appeal with the Clerk of the Circuit Court if I pay \$10.
26. I have no experience with the Fairfax County court system.

27. The idea of paying a \$10 fee and commencing a formal court action to appeal the denial of my voter registration application in court is intimidating to me and it is unclear whether this process would be resolved in time for me to vote in the November 5, 2019 election.
28. The letter from the Registrar does not say anything about whether or not I can be or will be eligible to vote in the November 2019 election.
29. I have not received any email or phone call from the Fairfax County Registrar during this entire process.
30. I do not know if I will be eligible to cast a ballot in the November 2019 election that will count even if I provide additional information to the Registrar or fill out a new application.
31. Today, I looked up my registration status online for the first time and see that I am listed as "active" even though my dorm name and room number are not listed. Exhibit D.
32. I just emailed the Fairfax County Registrar's office and will follow up as soon as I can to provide whatever information is necessary to clear up my registration status.
33. I am now even more confused about why my application was rejected and whether I am eligible to vote in the November 2019 election.
34. I am very busy with my course load and other responsibilities. This weekend I was out of town at a retreat and did not have access to my computer until this afternoon.
35. I want to vote in the November 2019 election. I would like to have my voice heard in the upcoming election.
36. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27<sup>th</sup> day of October, 2019, in Fairfax, Virginia.

Micah Reaves

Micah Reaves

# Exhibit A

Denied - Dorm name reg  
 Note to voter  
 10/21/19  
 CMJ

# Virginia Voter Registration Application

Use blue or black ink

Starred (\*) items are required. If you do not complete all of the items that are marked with \*, your application may be denied (See instructions on reverse side).

1. ☒ YES ☐ NO  
 \* I am a citizen of the United States of America. \* Full social security number                      ☐ No SSN was ever issued. \* Date of birth 11/19/99 \* Gender Male

2. \* Last name Reaves Jr. Sr. II III IV (Circle if applicable)  
 \* First name Micah \* Middle name Ray ☐ None  
 \* Residence address (May not be a P.O. Box) 4450 Rivanna River Way #6694 Apt #               
 \* City/Town Fairfax, VA \* ZIP 22030  
 E-mail mreaves@gmu.edu Phone 703-990-9996

3. \* Have you ever been convicted of a felony or judged mentally incapacitated and disqualified to vote? ☐ YES ☒ NO If YES, has your right to vote been restored? ☐ YES ☐ NO

4. ☐ I am an active-duty uniformed services member, spouse or dependent; or an overseas citizen.  
☐ I am providing a mailing address (below) because my residence address is not serviced by the U.S. Postal Service or I am homeless.  
☒ I am providing a Virginia P.O. Box (below) to protect my residence address from public disclosure because:  
☐ I am an active or retired law enforcement officer, judge, U.S. or Virginia Attorney General attorney  
☐ I have a court issued protective order for my benefit  
☐ I have evidence of filing a complaint with law enforcement that either I or a household member is in fear for personal safety from another person who has threatened or stalked either me or a household member  
☐ I am a participant in the Virginia Attorney General's Address Confidentiality Program

My mailing address (Complete only if you have checked a box in this section)

CITY OF ALEXANDRIA

OCT 11 2019

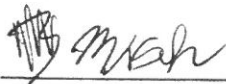
Voter Registration  
Electoral Board

5. ☐ I am currently registered to vote in another state:             . (Indicate state of previous registration)

6. ☐ I am interested in being an Officer of Election (poll worker) on Election Day. Please send me information.

7. AFFIRMATION: I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided on this form is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.

\* Signature


Today's date: 10/09/2019

☐ By checking this box, I affirm both that I am an individual with physical disabilities and the Affirmation Statement above. Pursuant to Article II, § 2 of the Constitution of Virginia, individuals with physical disabilities are not required to sign the application for voter registrations.

# Exhibit B



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**From:** mreaves <mreaves@masonlive.gmu.edu>  
**Sent:** Friday, October 25, 2019 4:44 PM  
**To:** John Powers  
**Subject:** Fw: Voter Registration

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**From:** George Mason University Housing <housing@gmu.edu>  
**Sent:** Thursday, October 24, 2019 5:54:05 PM  
**To:** mreaves@gmu.edu <mreaves@gmu.edu>  
**Subject:** Voter Registration

Good Afternoon,

Please see the the below message from University Life about voter registration. Please disregard if this information does not apply to you.

If you registered to vote on campus this fall please confirm your voter registration at:

<https://www.elections.virginia.gov>

If you do not see your information, your registration is being held because your residence hall/dorm room # is missing, and an extension has been made for you to complete the form. The extension is only for those that registered at Mason in fall of 2019. You may submit a new voter registration application, or by writing your full name, residential address, year of birth, last four digits of your social security number and signature on a sheet of paper and providing it to the Fairfax County Office of Elections or scanning the submission and forwarding, as an attachment, to: [voting@fairfaxcounty.gov](mailto:voting@fairfaxcounty.gov). You may also fax it to 703-324-2205, or deliver to the office 12000 Government Center Pkwy, Suite 323, Fairfax, 22035, during normal business hours. Business hours: 8 a.m. to 7 p.m. Monday – Friday, Saturday Oct 26, 9 a.m. to 5 p.m. and by noon, Saturday, Nov. 2, 2019. Questions? Email: [voting@fairfaxcounty.gov](mailto:voting@fairfaxcounty.gov) or call 703-222-0776.

Alissa Karton

George Mason University  
University Life  
Assistant to the Vice President  
& Director of Special Projects  
Merten Hall 5108  
703-993-1438  
[akarton@gmu.edu](mailto:akarton@gmu.edu)

# Exhibit C

**FAIRFAX COUNTY**

Office of Voter Registration

PO Box 10161  
Fairfax, VA 22038-8061

E-mail: [voting@fairfaxcounty.gov](mailto:voting@fairfaxcounty.gov)  
Website: <http://www.fairfaxcounty.gov/elections>

Phone: 703-222-0776  
Fax: 703-324-2205

**TO:** MICAH RAY REAVES  
4450 Rivanna River Way # 6694  
Fairfax, VA 22030-4441

**DATE:** 10/21/2019

**Voter Registration Denial Notification**

This office has received your Virginia Voter Registration Application. Based on the review conducted by this office, your application has been denied for the following reasons:

Your Voter Registration Application did not:

☒ Provide a valid Residence Address

A new Voter Registration Application is enclosed to give you the opportunity to properly complete, sign, date and return the enclosed application, providing all the required information. "Do not leave any space blank; enter 'NONE' if that answer applies. You may also visit the Virginia Voter Registration Portal website at [www.vote.virginia.gov](http://www.vote.virginia.gov) to submit your voter registration application online. The deadline to submit your properly completed voter registration application form is 22 days before a primary or general election and shorter for special elections to fill vacancies.

In most instances, a new voter registration application with all required information will be all that is needed. However, if you believe this denial is in error, you have the right to appeal by completing the enclosed Petition for Appeal and filing it with the Clerk of the Circuit Court. A ten dollar (\$10.00) filing fee is required. You must contact the Clerk to determine an accepted method of payment. You must file this appeal with the court within ten days of the date printed on this letter.

If you have any questions about this notification, please call the Office of General Registrar.



GARY SCOTT  
General Registrar  
Fairfax County Office of Elections

# Exhibit D

# Voter Information

**Voter Name:** Micah Ray Reaves

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**Voter Number:** 122814045

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**Status:** Active

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**Date of Status:** 09/07/2017

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**Residential Address:** 4450 Rivanna River Way  
Fairfax, VA 220304441

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**Locality:** FAIRFAX COUNTY

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**Precinct:** 134 - UNIVERSITY

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**Precinct Code:** 0134

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